

**REMARKS**

**I. General Comments**

Applicants thank the Examiner for accepting the drawings filed on February 10, 2005. Also, Applicants thank the Examiner for acknowledging Applicants' claim to foreign priority and receipt of the certified copies of the priority documents from the International Bureau. In addition, Applicants thank the Examiner for considering the references listed on the PTO/SB/08 Forms submitted with the Information Disclosure Statements of February 10, 2005 and August 24, 2006.

**II. Status of the Application**

Claims 12-23 are all the claims pending in the application. Claims 12-23 have been rejected. The present Amendment addresses each point of rejection raised by the Examiner. Favorable reconsideration is respectfully requested.

**III. Double Patenting Rejection**

Claims 12-23 stand rejected under 35 U.S.C. § 101 as allegedly claiming the same invention as claims 1-7 of U.S. Patent No. 6,984,802 to Kuroiwa et al. (hereinafter "Kuroiwa"). This is a statutory-type double patenting rejection. Applicants respectfully traverse this ground of rejection.

Applicants submit that claims 12-23 of the present invention do not claim the same invention as claims 1-7 of Kuroiwa. With regard to independent claim 12, Kuroiwa does not claim "a third polarizing beam splitter, capable of polarizing- angle adjustment, disposed in front of the first polarizing beam splitter." With regard to independent claim 18, Kuroiwa does not claim "focal positions of the two laser beams are measured, based on a measuring means for

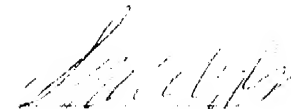
measuring the focal positions of the laser beams, and adjustment is carried out by a deformable mirror so that the difference between the focal positions of the two laser beams is below a desired reference.” Further, the dependent claims of the present application recite additional features that are not claimed in Kuroiwa. Accordingly, Applicants respectfully request that the Examiner withdraw the statutory-type double patenting rejection over claims 1-7 of Kuroiwa.

#### **IV. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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